

2011 DRAFTING REQUEST

Bill

Received: 06/23/2011

Received By: agary

Wanted: As time permits

Companion to LRB:

For: Alvin Ott (608) 266-5831

By/Representing: Erin Ruby

May Contact:

Drafter: agary

Subject: Transportation - mot veh dealers
Transportation - motor vehicles

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Ott@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Dealer registration plate identifiers

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	agary 06/28/2011	kfollett 07/13/2011	mduchek 07/13/2011	_____	ggodwin 07/13/2011		State
/1	agary 09/12/2011	kfollett 09/12/2011	phenry 09/12/2011	_____	mbarman 09/12/2011	mbarman 09/26/2011	

FE Sent For:

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10-3-11

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1/?	agary	1P11gf 7/13		_____	_____	_____	_____

FE Sent For:

<END>

Bill Draft Request

Date: 6-23-11

Legislator Requesting Draft: Rep. Al Ott

Person Submitting Request: Erin Ruby – Research Assistant

Person to Contact with Questions: Erin Ruby (6-5831)

Drafting Request:

Rep. Ott would like to request a bill draft to require the display of a “distinguishing” sticker on vehicle registration plates for dealers, distributors, manufacturers and transporters.

In July, the Department of Transportation (DOT) will begin issuing newly designed motor vehicle dealer license plates. These plates, however, will not include the distinguishing symbol currently required under s. 341.52 of the statutes.

Currently, DOT provides each licensed dealer with their own unique “dealer number.” That number is used by the Department to identify that specific dealer for all licensing activities. Every plate issued to a dealer is stamped with the dealer’s number. The distinguishing symbol is a simple alphabetic letter – stamped on the plate – that immediately follows the dealer’s number.

The distinguishing symbol is important to the dealer’s unique plate because it helps them keep track of the multiple plates issued to them. The issuance of multiple plates enables dealers to conduct business by facilitating test drives and providing demonstrators and loaner vehicles. If all plates simply have the same number on them, it becomes significantly more difficult to keep track of those plates and know if one was missing or has been stolen. The distinguishing symbol is also important to law enforcement when enforcing traffic infractions and theft recovery.

The elimination of the stamped letter is due to DOT’s implementation of a conversion to the electronic Registration and Titling System (RATS). When undergoing this conversion, the Department did not account for the corresponding dealer plate letter, and the use of such a letter is not compatible with the updated system.

The DOT and the Wisconsin Automobile and Truck Dealers Association have met to discuss this issue and have reached an agreement to require the display of a sticker, approved by the Department to act as the dealer plate distinguishing symbol. To that end, they propose a change to s. 341.52 as noted below.

Current Statute:

341.52 Design of registration plates. Registration plates for dealers, distributors, manufacturers and transporters are subject to the provisions of s. 341.12 (2) and (3). In addition, each plate shall

have displayed upon it a symbol capable of distinguishing it from any other plate which may be issued to the same dealer, distributor, manufacturer or transporter.

Proposed Change:

341.52 Design of registration plates. Registration plates for dealers, distributors, manufacturers and transporters are subject to the provisions of s. 341.12 (2) and (3). In addition, each plate shall have displayed upon it ~~a symbol~~ an alphabetic sticker approved by the department capable of distinguishing it from any other plate which may be issued to the same dealer, distributor, manufacturer or transporter. The distinguishing sticker shall be attached directly to the right and in line with the numeric symbols on the registration plate.

may

The draft should also include a three-month delayed effective date to allow time for the production and distribution of the stickers.

Feel free to call or send an email with any questions or concerns.

Thank you!

tlc w/ Erin 6/24 6-5831
no delayed eff date
wants it to be permissive,
not mandatory



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2294/P1
ARG...kf

in
6/28

8-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; relating to: registration plates for dealers, distributors,
2 manufacturers, and transporters of motor vehicles.

Analysis by the Legislative Reference Bureau

Under current law, a dealer, distributor, manufacturer, or transporter of vehicles may register with the Department of Transportation (DOT) and obtain issuance of vehicle registration plates. Under certain circumstances, the dealer, distributor, manufacturer, or transporter may display these plates on an unregistered vehicle and legally operate the vehicle on the highway. Each plate must include a registration number composed of numbers or letters or both. Each plate must also have displayed upon it a symbol capable of distinguishing it from any other plate issued to the same dealer, distributor, manufacturer, or transporter.

Under this bill, DOT is not required to include on plates issued to a dealer, distributor, manufacturer, or transporter a symbol capable of distinguishing the plate from other plates issued to the same dealer, distributor, manufacturer, or transporter. Instead, these plates may have displayed upon them a decal or sticker displaying letters that is approved by DOT and that is capable of distinguishing the plates from other plates which may be issued to the same dealer, distributor, manufacturer, or transporter. If such a decal or sticker is displayed, the bill specifies the location on the plate where the decal or sticker must be placed.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 341.52 of the statutes, as affected by 2011 Wisconsin Act 32, is
2 amended to read:

3 **341.52 Design of registration plates.** Registration plates for dealers,
4 distributors, manufacturers, and transporters are subject to the provisions of s.
5 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate ~~shall~~ may have
6 displayed upon it a symbol decal or sticker displaying letters that is approved by the
7 department and that is capable of distinguishing ~~it~~ the plate from any other plate
8 which may be issued to the same dealer, distributor, manufacturer, or transporter.
9 If such a decal or sticker is displayed on a plate, the decal or sticker shall be affixed
10 on the right side of the plate directly to the right of, and in line with, the numbers
11 or letters or both composing the registration number required under s. 341.12 (3) (a).

12 History: 1989 a. 31.

(END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2294/P1dn

ARG: *ejf*

Date

ATTN: Erin Ruby

Please review the attached draft carefully to ensure that it is consistent with your intent.

In the drafting instructions, the statutory change directed by the instructions may be inconsistent in part with the rationale described for the change. Under current law (both before and after the 2011 Budget Act), DOT *must* include a symbol on dealer plates that allows the various plates issued to a dealer to be distinguished from each other. In contrast, this bill might be read to allow DOT to decline to issue dealer plates that are distinguishable from each other if DOT chooses.

It is unclear from the proposed language provided to me whether or not DOT would issue the sticker and, if not, whether DOT has authority to prevent stickers from being used. I believe modifications should be made so that the answers to these questions are apparent from the statutory language.

In section 9148 (9i) of the Biennial Budget Act (Act 32), DOT is required to include a proposal to establish a registration plate decal or sticker system under which decals or stickers would be issued centrally by a 3rd-party vendor and would carry an identification marker specific to the registration plate or vehicle for which the decal or sticker is issued. Upon approval of the proposal, DOT must implement the proposal. I am uncertain whether the proposal will include dealer plates, but you may wish to confer with DOT on this issue.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2294/P1dn
ARG:kjf.md

July 13, 2011

ATTN: Erin Ruby

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Ruby, Erin
Sent: Monday, September 12, 2011 11:16 AM
To: Gary, Aaron
Subject: RE: LRB 2294

Aaron,

Sorry for the delay in getting back to you on this. Yes, sounds like we're good to go for the "/1" conversion.

Thank you very much!!
Erin

Erin Ruby
Research Assistant
Office of State Representative Al Ott
608.266.5831
erin.ruby@legis.wi.gov

From: Gary, Aaron
Sent: Wednesday, August 24, 2011 2:56 PM
To: Ruby, Erin
Subject: RE: LRB 2294

Hi Erin,

I spoke with Chris this afternoon. It sounds like the circumstances giving rise to the draft are a little unusual. If your office and the industry and DMV are all OK with the draft, I certainly don't have a problem with it. Do you want me to convert it to a "/1"?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Ruby, Erin
Sent: Tuesday, August 23, 2011 9:27 AM
To: Gary, Aaron
Subject: LRB 2294

Aaron,

Just a quick note to let you know you will likely be hearing from Chris Snyder, Legal Council with the Wisconsin Automobile & Truck Dealers Association, regarding the Drafter's Note on LRB 2294.

Chris should be able to address the questions raised in the DN. You have Rep. Ott's permission to speak with him about the draft.

Feel free to let me know if you have any questions.

Thanks!!
Erin

Erin Ruby



State of Wisconsin
2011 - 2012 LEGISLATURE

TODAY



LRB-2294/P1
ARG:kjf.md

in
9/12

kan

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes
Regen

1 AN ACT *to amend* 341.52 of the statutes; **relating to:** registration plates for
2 dealers, distributors, manufacturers, and transporters of motor vehicles.

Analysis by the Legislative Reference Bureau

Under current law, a dealer, distributor, manufacturer, or transporter of vehicles may register with the Department of Transportation (DOT) and obtain issuance of vehicle registration plates. Under certain circumstances, the dealer, distributor, manufacturer, or transporter may display these plates on an unregistered vehicle and legally operate the vehicle on the highway. Each plate must include a registration number composed of numbers or letters or both. Each plate must also have displayed upon it a symbol capable of distinguishing it from any other plate issued to the same dealer, distributor, manufacturer, or transporter.

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Godwin, Gigi

From: Ruby, Erin
Sent: Friday, September 23, 2011 2:20 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-2294/1 Topic: Dealer registration plate identifiers

Please Jacket LRB 11-2294/1 for the ASSEMBLY.